

Application No. 10/583,991
Attorney Docket No.: 062705
Response to Notice of Non-Responsive Reply

REMARKS

Claims 1 and 4-6 are pending in the present application. Claims 1 and 5 are herein amended. Claims 2 and 3 are herein cancelled. No new matter has been entered.

Claim Rejections - 35 U.S.C. § 112

Claims 1-6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Office Action states that the term “soft” in claims 1-6 renders the claims indefinite. The Office Action takes the position that the term is not defined in the claims and the specification.

Applicants respectfully submit that the specification defines a “soft vinyl chloride copolymer resin” as a vinyl chloride copolymer resin that does not have a yield point. (*See, e.g.*, specification, page 22, lines 15-16; page 28, lines 16-18.) Therefore, the term “soft” in claims 1-6 is definite.

Regarding claims 1 and 5, the Office Action states that the meaning of the term “type” in “vinyl chloride type monomer” is unclear. The limitation “vinyl chloride type monomer” has been amended to recite “a monomer comprising vinyl chloride, vinylidene chloride or vinyl acetate.” Support for the amendment is in the specification at, *e.g.*, page 5, line 25 to page 6, line 10.

Withdrawal of the § 112 rejections is requested.

Allowable Subject Matter

Applicants gratefully acknowledge that claim 3 recites allowable subject matter. The Office Action states that claim 3 would be allowable if amended into independent form to include all the limitations of claim 1 and amended to overcome the § 112 rejection.

Application No. 10/583,991
Attorney Docket No.: 062705
Response to Notice of Non-Responsive Reply

Claim 1 has been amended to include the limitations of allowable claim 3. Claims 4-6 depend from claim 1.

Accordingly, withdrawal of the rejection of claims 1 and 4-6 is hereby solicited.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Andrew G. Melick
Attorney for Applicants
Registration No. 56,868
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

AGM/adp